

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 18, 1947
10:40 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Absent : None

Present also: Guiton Morgan, City Manager; Trueman E. O'Quinn, City Attorney; J. E. Motheral, Director of Public Works; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

Ed Clark, Attorney for J. M. Odom, came before the Council and asked that the bid of his client for the purchase of that portion of the Butler Tract recently advertised for sale, to-wit, 200 feet facing Lamar Boulevard, be accepted as being the highest and best bid received.

Thereupon Mayor Miller moved, seconded by Councilman Johnson, that all bids received for the purchase of said portion of the Butler Tract, being 200 feet facing Lamar Boulevard, be rejected. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Ed Clark, Attorney, then submitted a joint offer by the said J. M. Odom and Harold Hoefgen for the purchase of said 200 feet on Lamar Boulevard, plus 50 feet on the north on Lamar Boulevard, plus an additional 75 feet on the west, or end, of the lot, for the sum of \$40,000.00, stating that his clients intended to build a first-class tourist court or motel on the property.

Following the discussion, Mayor Miller declared that, inasmuch as both the said J. M. Odom and Harold Hoefgen were high bidders, he would be willing to recommend to the City Council that the City sell the said 200 feet, plus the 50 feet on the north on Lamar Boulevard, for \$40,000.00,

but he would not vote to include the 75 feet on the west, or end, of the lot for that price.

Upon motion of Councilman Glass, the matter was taken under advisement for consideration of new bids .

Pursuant to published notice thereof, the public hearing on the application of John B. Loveless to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

The east 9.5 feet of Lot 3, Block "E", Bouldin Addition, being located on the south side of West Mary Street west of South 1st Street, in the City of Austin, Travis County, Texas,

was duly opened.

No property owner or other interested person appeared to protest the proposed change.

Thereupon Councilman Thornberry moved that the recommendations of the Board of Adjustment be sustained and the change be granted, and the City Attorney be instructed to prepare the ordinance for passage at the next regular meeting. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of Westenfield Development Company, by Tom Graham, to amend the Zoning Ordinance in the following particular :

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

Lots 1 and 22, Tarrytown, being located at the northwest corner of Windsor Road and Exposition Boulevard, in the City of Austin, Travis County, Texas,

was duly opened.

Tom Graham, representing the Westenfield Development Company, proponent, plead for the change on the grounds that it is needed as a site for a proposed moving picture theatre, with adequate parking space; that there is not sufficient commercial area in the two blocks already zoned for a community center to afford off-street parking and the other services needed there; that of the seven hundred answers received to the one thousand questionnaires sent out, six hundred of them were in favor of the theatre, which, when constructed, will cost from \$150,000.00 to \$200,000.00.

Rickey Key, Agent for Louis Novy, Manager of Interstate Theatres, also plead for the change, declaring that his client desires the property as a site for a moving picture theatre; that for the past several years he has had numerous requests from residents in that section asking that a theatre be built out there, and that the only plot of ground that he has been able to find that would afford space for a theatre and off-street parking is the property in question.

Sherman Birdwell, Dr. Henry Hilgartner, Carl Mueller, Monte Burt, A. H. Osburn, and several other residents of that section appeared and declared themselves in favor of the change as there was a definite need for a picture show in that area.

The following were among the group of property owners who appeared and protested the change, substantially as follows:

Hulon W. Black opposed the change on the grounds that his home is out there in what he considers the most attractive residential area in Austin - a quiet place and the kind of place one would want to live in to rear children ; that he and a great many others do not want further incroachment in that area; that the rezoning of that corner would depreciate the value of all property situated near it north of Windsor Road and west of Exposition Boulevard; that there is now in the community center a block and a half of land undeveloped, which is all the ground needed for a theatre; that most of the people who are in favor of the theatre do not live near this corner; that opposition to the change is unanimous among the people living within two hundred feet, and a great many others are opposed to the change but were unable to be present at this hearing; and he further stated that he hoped the Council would uphold the Zoning Board and deny the change.

J. Chrys Dougherty opposed the change on the grounds that those who bought property in that section thought it was an area that would not be commercialized; that if a theatre is placed there, depreciation in value of their property will occur; that there is adequate parking space for a theatre in the blocks already zoned as commercial; that the reason for wanting a theatre at Windsor Road and Exposition Boulevard is because it is a better location; that the residents will be annoyed by the noise of traffic from cars parked on the street, where they will be parked instead of in the parking area; and, further, that only two property owners in the immediate vicinity want the theatre.

Mrs. J. L. Condit declared that she opposed the change from every standpoint, and that there is no need for an expansion of the commercial zone.

E. D. Becker, individually, and also representing T. S. Huff and Dr. G. B. Vosburg, declared that all three of them violently opposed the change; that there is sufficient commercial zoning in the city at present; that they were opposed to extending the commercial zone into residential areas; that if this change is granted, proponent will ask for other commercial zoning and the whole area will be commercialized more than was planned and was represented to him when he bought his lot; that it will increase traffic on Windsor Road, which is a narrow road, and create additional traffic hazard; and that he considers it unethical on the part of proponent in asking for the change.

Mrs. H. W. Schulle declared that she opposed the theatre because it would depreciate her property, as no one would want to live near a theatre.

Mrs. Clarence Goen declared that she was definitely opposed to the change as long as there was sufficient undeveloped commercial area in that section.

R. W. Byram declared that he indorsed what Messrs. Black and Dougherty had said; that he thought everybody present was in favor of the theatre if it were put on the area provided for that purpose originally; that the cards submitted by Mr. Graham were utterly meaningless for those in favor of the theatre are willing for it to be put on property already zoned, and those opposing it are not objecting to the theatre if placed there.

Chas. Strawn declared that he opposed the change on the basis of depreciation of his property and interference with the privacy of their homes; that it appeared to be an effort to increase the value of this property at the expense of surrounding property.

All property owners and other interested persons having been given an opportunity to be heard, Councilman Glass moved that action on the matter be deferred to Tuesday, December 23, in order for the City Council to make an inspection of the property. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

C. B. Smith, Chairman of the Committee of Austin Automobile Dealers Association sponsoring the miniature automobile race track project, came before the Council relative to the Association's proposal to place said track on city property. After some discussion, it was moved by Councilman Glass that the proposal be accepted, subject to the following provisions: (1) approval of same by the Recreation Director; (2) furnishing of public liability insurance fully protecting the City of Austin, to be paid for by the Club; (3) selection of the site in Zilker Park by the City Manager and Recreation Director, with the understanding that the use of same be granted so long as interest in the project continues, or until such time as the City may need the land for other purposes; (4) no admission charges or exclusion of the public from exhibitions; and (5) lighting connections to be furnished by the City. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of Ted Wendlandt for J. R. Glasscock for change in zoning, from "A" Residence District to "B" Residence District, of the east 119 feet of Lot 4, Block 4, Westfield "B", was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of V. A. Cuneo for change in zoning, from "A" Residence District to "C" Commercial District, of Lot 34, Duval Heights, located on Airport Boulevard, was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of Edward Wendlandt for change in zoning, from "A" Residence District to "C" Commercial District, of Lot 1, Block 2, Outlot 76, Division "D", Buddington Addition, was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of Ben Lockhart, by Paul Jones, the Steck Estate, by R. G. Mueller, and Lydia Littman for change in zoning, from "A" Residence District to "B" Residence District, was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of Miss Nellie Lea Brown for change in zoning, from "A" Residence District to "B" Residence District, of Lots 3 and 4, Block 16, Moore & Sparks Resubdivision, located at the northwest corner of East 32nd Street and Grooms Street, was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of E. L. Bauknight for Travis Hughes for change in zoning, from "A" Residence District to "C" Commercial District, of part of the south one-half of Lot 37, and all of Lots 38 to 43, both inclusive, of Block "B", Murray Place, was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in WEST 33RD STREET from a point 189 feet east of Bailey Lane easterly 43 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said West 33rd Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in CLERMONT STREET from a point 100 feet east of East Avenue westerly 150 feet, the centerline of which gas main shall be 17 feet south of and parallel to the north property line of said Clermont Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in EAST AVENUE from Clermont Street southerly 64 feet, the centerline of which gas main shall be 50 feet west of and parallel to the east property line of said East Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (4) A gas main in CUMMINGS STREET across East Avenue intersection, the centerline of which gas main shall be 6.5 feet south of, and parallel to, the north property line of said Cummings Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after

said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Johnson introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B-1" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT ON LOTS 1, 2, 3, 4, 5, 6, 7, AND 8, BLOCK 1, WALSH PLACE ADDITION; AND CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON A PORTION OF LOT 11, BLOCK B, JAMES E. BOULDIN ADDITION; ALL OF SAID PROPERTY LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Johnson moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The ordinance was read the second time and Councilman Johnson moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The ordinance was read the third time and Councilman Johnson moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilmen Thornberry

Noes : None

Mayor Miller then announced that the ordinance had been finally passed.

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : Maurice Joyner and Lillian Joyner

- I. Referred to the Board by the City Council on : December 4, 1947.
- II. Property affected:
- Lot 1, Outlot 62, Division "B", Chernosky Subdivision No. 6,
being located at 2103 Rosewood Avenue
- III. To be changed
- From : "B" Residence District
- To : "C" Commercial District
- IV. Considered by the Board on : December 16, 1947
- V. Parties appearing :
- For : None (No hearing called)
- Against: None
- VI. Action of the Board : Change not recommended

For the following reasons:

1. The applicant's property is located in a block on the south side of Rosewood Avenue which was changed, along with other property in this vicinity, from "C" Commercial District to "B" Residence District at the request of the Federal Housing Authority prior to the construction of the Negro Housing Project west of this location.
2. This property consists of one lot in the middle of a block and to create a commercial zone at this location would be spot zoning of the worst type for the benefit of one property owner and not in response to any public demand or necessity since there is a considerable amount of undeveloped commercial property in the area designated for that purpose along Rosewood Avenue.
3. The Board deemed that to change the zoning of this property to "C" Commercial District would be breaking faith with the Housing Authority since the original classification was changed to "B" Residence District to protect the housing development, and that no justification can be found for making the change.

(Sgd) H. F. Kuehne, Chairman. "

Councilman Glass moved that a public hearing on the foregoing application of Maurice Joyner and Lillian Joyner for change in zoning be called for Thursday, January 8, 1948, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The Mayor called up for its third reading, the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE IMPROVEMENT OF A PORTION OF WILLOW STREET FROM THE EAST PROPERTY LINE OF WALLER STREET TO THE WEST PROPERTY LINE OF NAVASOTA STREET, IN THE CITY OF AUSTIN, TEXAS; AND DIRECTING THE PLANS AND SPECIFICATIONS FOR SUCH IMPROVEMENTS BE PREPARED AND FILED; AND DIRECTING AN ESTIMATE OF THE COST OF SUCH IMPROVEMENTS BE DELIVERED AND FILED; AND AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF SUCH IMPROVEMENTS.

The ordinance was read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Thereupon Mayor Miller declared that the ordinance had been finally passed.

Councilman Thornberry introduced the following ordinance:

AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE CITY OF AUSTIN TO INCLUDE THEREIN THE PROPERTY EMBRACED IN THAT CERTAIN ORDINANCE ANNEXING ADDITIONAL TERRITORY TO THE CITY OF AUSTIN PASSED BY THE CITY COUNCIL DECEMBER 11, 1947, BEING 85.91 ACRES OUT OF THE ISAAC DECKER LEAGUE AND 160.88 ACRES OUT OF THE GEORGE W. SPEAR LEAGUE, ALL IN TRAVIS COUNTY, TEXAS, AND ZONING SUCH LANDS AND TERRITORY AS "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thornberry moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The ordinance was read the second time and Councilman Thornberry moved that the rule be further suspended and the ordinance be passed to its third

reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The ordinance was read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Thereupon Mayor Miller announced that the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the north side of Georgetown Road as a private gasoline plant, which property is owned by Lyles Chemical and Supply Company, acting through J. K. Lyles, and hereby authorizes the said Lyles Chemical and Supply Company to operate a private gasoline plant consisting of a 500 gallon underground tank and electric pump, for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, subject to the same's being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Lyles Chemical and Supply Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

Austin, Texas
December 18, 1947

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

I, the undersigned, have considered the application of Lyles Chemical and Supply Company, by J. K. Lyles, for permission to operate a private gasoline plant consisting of a 500 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from

which no gasoline is to be sold, upon property located on the north side of Georgetown Road, which property is locally known as 6208 Dallas Highway.

This property is located in a "C-2" Commercial District, and I recommend that this permit be granted, subject to the following conditions:

- (1) That the gasoline tanks and pumps shall be of an approved type, and shall bear the label of the Underwriter's Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the ordinance governing the storage and handling of gasoline.
- (2) That all pumps shall be located not nearer than 10 feet of the property line and so located that cars stopped for the purpose of receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.
- (3) That "NO SMOKING" signs shall at all times be prominently displayed, and no person shall be permitted to smoke on the premises where gasoline is handled or stored.
- (4) That all fees shall be paid and a permit secured from the Building Inspector's office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

Respectfully submitted,

(Sgd) J. C. Eckert
Building Inspector.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The application of ISAAC CRAIG, Colored, 2215 Rosewood Avenue, for a license to operate as a taxicab a 1941 Model, 4-door Plymouth Sedan, Motor No. F11-84050, State License No. JC-2376, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The application of RANDOLPH HAWKINS, Colored, 1912 East 12th Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1947 Model, Motor No. 3458350, State License No. JC-4276, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The application of CLYDE MONTGOMERY, Route 3, Box 314-H, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1942 Model, Motor No. BA-361570, State License No. JA-3574, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of ARTHUR WHITTINGTON, Colored, 701 West Monroe Street, for a license to operate as a taxicab, a 4-door Plymouth Sedan, 1936 Model, Engine No. PT-282778, State License No. DH-7283, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of GORDON SWIFT ASHBERRY, 1116 Reagan Terrace, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of OTIS BARLOW NYE, 2712 South Congress Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : Wm. A. Trenckmann, for various property owners

I. Referred to the Board by the City Council on : November 13, 1947

II. Property affected :

Block 2, Glenwood Addition, being the block located between
Cedar Avenue and Singleton Street, East 18th and East 19th
Streets

III. To be changed

From : "A" Residence District

To : "C" Commercial District

IV. Considered by the Board on : November 25, 1947; December 2, 1947; and December 16, 1947

V. Parties appearing:

For : Wm. A. Trenckmann and J. H. Hardeman

Against: None

VI. Action of the Board: Change not recommended

For the following reasons:

1. The request for this change covers an entire block which already contains fifteen residences and lies between Singleton Street and Cedar Avenue, 18th and 19th Streets, 19th Street being a through street which eventually will cross the entire City and is destined to become a major thoroughfare.
2. This change is presently for the sole purpose of enabling the principal applicant, J. H. Hardeman, to erect a stone commercial building on the lot at the northeast corner of the block fronting on Cedar Avenue and siding on 19th Street, no other commercial development being contemplated at this time.
3. An examination of the maps shows that the lots in this block front on Singleton Street and Cedar Avenue, which are local residence streets ending on 19th Street. These lots all are owned separately except two at the southeast corner of the block. To change the entire block would enable each of these property owners to establish business uses fronting on these local residence streets while the only street which might in the future be suitable for commercial development is East 19th Street. This would, therefore, result in a situation in which a block of commercial property would front on a block of residential property on each side of Singleton Street and Cedar Avenue, tending to adversely affect the character and value of these properties. Since practically all the property is in separate ownerships it does not lend itself to a modern type of Community Center development where the surrounding property could be adequately protected.
4. The applicant proposes to erect a stone grocery store, barber shop and plumbing shop, in addition to a residence on the rear of the lot. Since 19th Street will eventually become a major thoroughfare, it will likely have to be widened and, therefore, a setback should be maintained on 19th Street for all future buildings which would make it desirable to maintain the First Height and Area District classification of this property.
5. Under these circumstances, the Board deemed that this change should not be made as it is ostensibly for the benefit of one property owner to develop his property which is essentially residential, as well as the remainder of the block, and such a change would not be the proper zoning for this area.

(Sgd) H. F. Kuehne, Chairman. "

Upon motion, seconded and carried, the meeting was then recessed,
subject to call of the Mayor.

Approved: Tom Miller.
MAYOR

Attest:

Sally McKeen
CITY CLERK